

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office DEC 04 2002

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUN 16 2000 under 09231

The applicant **Elmer O. Wheeler and Paule A. Wheeler Family Trust** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Silver Spring**
2. The amount of water applied for is **1.0 cfs** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **irrigation and domestic**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **160 acres**
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **NE¼ SW¼ Section 14, T.8N., R.62E., M.D.B.&M., or at a point from which the NE corner of Section 16, T.8N., R.64E., bears North 86 degrees 55 minutes 58 seconds East a distance of 54,047 feet. A.K.A. Silver Spring Please use map filed under Proof No. 09231 for proposed point of diversion.**
6. Place of Use **E2 SW4, SW4 SW4 of Section 14 and NW4 NW4 of Section 23 all within T.8N., R.62E., M.D.B.&M. Please use map filed under withdrawn Application No. 66128 for proposed place of use**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Additional development of spring into storage reservoir.**
9. Estimated cost of works **\$18,000.00**
10. Estimated time required to construct works **2 Years**
11. Estimated time required to complete the application of water to beneficial use **5 Years**

12. Remarks: Please use map filed under Proof No. 09231 for proposed point of diversion and map filed under withdrawn Application No. 66128 for proposed place of use.

Elmer O. Wheeler
By s/Elmer O. Wheeler
2908 Golfside Drive
Las Vegas, Nevada 89134

Compared cmf/cac _____ lt/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued for the irrigation of 160 acres within the described place of use.

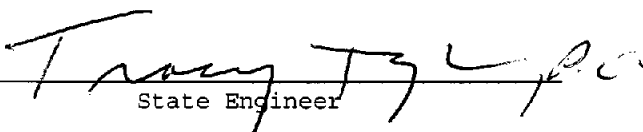
The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.7 cubic feet per second, not to exceed 480.0 acre-feet annually, and not to exceed an annual duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:
October 24, 2008

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:
October 24, 2011

Map in support of proof of beneficial use shall be filed on or before:
October 24, 2011

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,
State Engineer of Nevada, have hereunto set
my hand and the seal of my office,
this 24th day of October, A.D. 2006


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____